

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DESMOND ANTHONY WALSH,

Plaintiff,

v.

MEGAN BRENNAN, Postmaster General,
United States Postal Service,¹

Defendant.

USDC SDNY
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ELECTRONICALLY FILED
DOC. #
DATE FILED: 11/19/19

14 Civ. 7239 (GBD) (KNF)

ORDER REGARDING PLEADINGS

WHEREAS, on September 5, 2014, Plaintiff Desmond Anthony Walsh (“Plaintiff”) filed his complaint in the above-captioned action pertaining to his employment at the United States Postal Service (“USPS”) (Dkt. No. 1);

WHEREAS, since then, the time for Defendant Megan Brennan, Postmaster General, USPS (“Defendant”) to answer the complaint has been stayed while Plaintiff pursued actions at the administrative level pertaining to the same subject matter referenced in the complaint in this litigation;

WHEREAS, as of September 13, 2019, the final action pending at the administrative level had concluded; and

WHEREAS, Plaintiff has indicated that he wishes to amend his complaint pursuant to Federal Rule of Civil Procedure 15, and Defendant would like sufficient time to investigate Plaintiff’s allegations, to determine whether to answer and/or file a motion to dismiss, and to prepare her responsive pleading and/or motion;

¹ Megan Brennan, who became the Postmaster General of the United States in February 2015, is automatically substituted for former Postmaster General Patrick R. Donahoe as the defendant in this action. *See* Fed. R. Civ. P. 25(d).

THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. Plaintiff shall file and serve any amended complaint in this action by November

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22, 2019; and

2. By January *21*, 2020, Defendant shall file and serve her answer and/or motion to

dismiss: (1) the amended complaint, if Plaintiff files one; or (2) if Plaintiff does not file an
amended complaint, the original complaint.

SO ORDERED:

Kevin Nathaniel Fox

THE HONORABLE KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE

Dated: *November 19*, 2019
New York, New York